

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

THOMAS OTTER ADAMS (100612),)
)
Plaintiff,)
)
v.) Case #: 2:06-cv-873-ID
)
WARDEN GWENDOLYN MOSLEY,)
Et al)
Defendants.)

MOTION TO AMEND SPECIAL REPORT AND ANSWER

Come now the defendants, **Gwendolyn Mosley, Lewis Hulett, Joel Tew, Daron Fayson, and Angela Brown**, by and through the Attorney General for the State of Alabama, and hereby request that this Honorable Court allow them to amend their special report filed on December 5, 2006, and, for grounds, state as follows:

1. Counsel for the defendants filed her special report on December 5, 2006.
2. In preparation for filing her special report, counsel requested all relevant medical documents for August 10, 2006. Prison officials interpreted said request as documents related to the morning of August 10, 2006, which only addressed Inmate Adam's chest pain. Any documents related to Inmate Adams' wrist injury were excluded from materials provided to counsel.
3. In response to this Honorable Court's order dated July 25, 2008, counsel has been provided with medical documents that discuss Inmate Adams' injuries that occurred as a result of the alleged actions of the defendants. Counsel

would, therefore, need to amend her special report to address these alleged injuries.

CONCLUSION

WHEREFORE, premises considered, counsel for the defendants moves this Honorable Court for permission to amend her special report to include a discussion of Inmate Adams' wrist injuries that occurred when he resisted a direct order to sit down so he could be taken to the health care unit.

Respectfully Submitted,

Troy King (KIN047)
Attorney General

/s/Bettie J. Carmack
Bettie J. Carmack (CAR-132)
Assistant Attorney General

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that I have, this the 5th day of August, 2008, served a copy of the foregoing upon the Plaintiff, by placing same in the United States Mail, postage prepaid and properly addressed as follows:

**Inmate Thomas Otter Adams
AIS # 100612
Staton Correctional Facility
P. O. Box 56
Elmore, AL 36025**

/s/ Bettie J. Carmack

Bettie J. Carmack (CAR-132)
Assistant Attorney General